

RETURN

(106)

To an ORDER of the HOUSE OF COMMONS dated February 27, 1905, for a return showing the business done in the Exchequer Court of Canada, under its admiralty jurisdiction, since the Admiralty Act of 1891 came into force ; giving by districts, (1) the number of actions instituted ; (2) the number of interlocutory applications, and (b) trials ; (3) the amount involved.

R. W. SCOTT,
Secretary of State.

OTTAWA, March 31, 1905.

E. L. NEWCOMBE, Esq., K.C.,
Deputy Minister of Justice,
Ottawa.

SIR,—I have the honor to return you herewith reference No. 71 of the Department of the Secretary of State with respect to the order or resolution of the House of Commons of the 27th and 28th February, 1905, respecting the business done in the Exchequer Court of Canada, under its admiralty jurisdiction, since the Admiralty Act of 1891 came into force.

In addition to a copy of each of the original returns received from the several admiralty districts, you will please find annexed thereto a summary statement compiled from such returns covering the information asked for.

L. A. AUDETTE,
Registrar.

RECAPITULATION STATEMENT

Showing the business done in the Exchequer Court of Canada, under its admiralty jurisdiction, since the Admiralty Act of 1891 came into force ; giving by districts, (1) the number of actions instituted ; (2a) the number of interlocutory applications, and (b) trials ; (3) the amount involved ; the whole pursuant to the resolution of the House of Commons of February 27, 1905.

| District. | Number of actions instituted. | Number of interlocutory applications. | Number of trials. | Amount involved. |
|---------------------------|---|---------------------------------------|-------------------|------------------|
| | | | | \$ cts. |
| Quebec..... | 155 | 189 | 43 | 637,874 00 |
| Nova Scotia..... | 174 | 195 | 59 | 928,683 51 |
| New Brunswick..... | 123 | 50 | 62 | 181,683 00 |
| Prince Edward Island..... | 10 | 7 | 3 | 29,368 00 |
| Toronto..... | 311 | 366 | 118 | 301,220 36 |
| British Columbia..... | 153 | 213 | 50 | 909,555 41 |
| Yukon..... | Letter sent March 2, 1905, asking for return with respect to Yukon Territory Admiralty District ; but as no reply is as yet received, and as number of cases there instituted would probably be small, it is not thought advisable to delay this Return any longer awaiting reply from this district. | | | |

Registrar's Office,
Exchequer Court of Canada,
Ottawa, March 31, 1905.

L. A. AUDETTE,
Registrar.

RETURN showing the business done in the Exchequer Court of Canada, Quebec Admiralty District since 'The Admiralty Act, 1891' came into force, giving (1) the number of actions instituted ; (2) (a) the number of interlocutory applications, and (b) trials ; (3) the amount involved.

| Actions Instituted. | | Inter-locutory applications | Trials. | Amount Involved. |
|---------------------|--|-----------------------------|---------|---------------------------------------|
| Docket No. | | | | |
| 1..... | | | | \$ 400 00 |
| 2..... | | 1 | 1 | £ 600 0 0 stg. |
| 3..... | | | | \$ 30 00 |
| 4..... | | | | 200 00 |
| 5..... | | | | £ 200 0 0 stg. |
| 6..... | | | | \$ 1,700 00 |
| 7..... | | | | 1,000 00 |
| 8..... | | | | 50,000 00 |
| 9..... | | | | 500 00 |
| 10..... | | | | 120 00 |
| 11..... | | | | 200 00 |
| 12..... | | 2 | 1 | 150 00 |
| 13..... | | | | 150 00 |
| 14..... | | 4 | 1 | 500 00 |
| 15..... | | | | Condemnation of vessel under statute. |
| 16..... | | | | \$ 5,000 00 |

SESSIONAL PAPER No. 106

RETURN showing the business done in the Exchequer Court of Canada, Quebec Admiralty District, since 'The Admiralty Act, 1891,' came into force, &c.—*Continued.*

| Actions Instituted. | | Inter-locutory applications | Trials. | Amount Involved. |
|---------------------|----|-----------------------------|---------|------------------|
| Docket No. | 17 | 3 | 1 | 14,500 00 |
| | 18 | 3 | | 1,700 00 |
| | 19 | 1 | | 540 00 |
| | 20 | 9 | 1 | 541 00 |
| | 21 | 3 | 1 | 333 00 |
| | 22 | 7 | 1 | 25,000 00 |
| | 23 | | | 300 00 |
| | 24 | 1 | | 250 00 |
| | 25 | | | 300 00 |
| | 26 | 1 | | 200 00 |
| | 27 | | | 30,000 00 |
| | 28 | 4 | 1 | 9,375 00 |
| | 29 | | | 300 00 |
| | 30 | 3 | 1 | 200 00 |
| | 31 | 3 | 1 | 300 00 |
| | 32 | 2 | 1 | 220 00 |
| | 33 | 1 | | 250 00 |
| | 34 | | | 120 00 |
| | 35 | 4 | 1 | 3,000 00 |
| | 36 | | | 200 00 |
| | 37 | | | 100 00 |
| | 38 | | | 100 00 |
| | 39 | 1 | | 1,000 00 |
| | 40 | 4 | 1 | 250 00 |
| | 41 | 7 | 1 | 500 00 |
| | 42 | | | 250 00 |
| | 43 | | | 100 00 |
| | 44 | | | 100 00 |
| | 45 | | | 250 00 |
| | 46 | 2 | 1 | 150 00 |
| | 47 | | | 200 00 |
| | 48 | | | 150 00 |
| | 49 | | | 125,000 00 |
| | 50 | | | 100 00 |
| | 51 | | | 5,000 00 |
| | 52 | 1 | | 4,000 00 |
| | 53 | | | 600 00 |
| | 54 | | | 125 00 |
| | 55 | 1 | | 4,000 00 |
| | 56 | 1 | 1 | 5,000 00 |
| | 57 | 2 | 1 | 200 00 |
| | 58 | 2 | | 75 00 |
| | 59 | | | 200 00 |
| | 60 | | | 800 00 |
| | 61 | 4 | 1 | 600 00 |
| | 62 | | | 400 00 |
| | 63 | | | 100 00 |
| | 64 | 6 | 1 | 500 00 |
| | 65 | 5 | 1 | 15,000 00 |
| | 66 | 2 | | 500 00 |
| | 67 | 1 | | 500 00 |
| | 68 | | 1 | 500 00 |
| | 69 | | | 200 00 |
| | 70 | 2 | | 300 00 |
| | 71 | 2 | | 250 00 |
| | 72 | 1 | | 300 00 |
| | 73 | 1 | | 350 00 |
| | 74 | 1 | 1 | 500 00 |
| | 75 | | | 500 00 |
| | 76 | | | 500 00 |
| | 77 | | | 500 00 |
| | 78 | | | 500 00 |
| | 79 | | | 500 00 |
| | 80 | | | 500 00 |
| | 81 | | | 500 00 |
| | 82 | | | 500 00 |

4-5 EDWARD VII., A. 1905

RETURN showing the business done in the Exchequer Court of Canada, Quebec Admiralty District, since 'The Admiralty Act, 1891,' came into force, &c.—Continued.

| Actions Instituted. | Inter-locutory applications | Trials. | Amount involved. |
|---|-----------------------------|-------------------------|------------------|
| Docket No. 83..... | | | 500 00 |
| 84..... | | | 500 00 |
| 85..... | | | 225 00 |
| 86..... | 3 | 1 | 5,500 00 |
| 87..... | 7 | 1 | 1,300 00 |
| 88..... | | | 30,000 00 |
| 89..... | | | 30,000 00 |
| 90..... | | | 5,500 00 |
| 91..... | 1 | | \$ 1,150 00 |
| 92..... | | | Possession. |
| 93..... | | | \$ 1,000 00 |
| 94..... | | | 1,000 00 |
| 95..... | | | 1,000 00 |
| 96..... | | | 1,000 00 |
| 97..... | 15 | 4 (separate issues).... | 9,665 94 |
| 98..... | 1 | 1 | 787 50 |
| 99..... | | | 3,000 00 |
| 100..... | | | 1,450 00 |
| 101..... | | | 10 10 |
| 102..... | | | 6 10 |
| 103..... | | | 500 00 |
| 104..... | 2 | | 1,000 00 |
| 105..... | 3 | 1 | 800 00 |
| 106..... | 1 | 1 | 10,000 00 |
| 107..... | 1 | 1 | 5,000 00 |
| 108..... | 3 | 1 | 14 73 |
| 109..... | 3 | 1 | 40 00 |
| 110..... | 4 | 1 | 2,000 00 |
| 111..... | | | |
| 112..... | | | 500 00 |
| 113..... | 2 | 1 | 400 00 |
| 114..... | | | 207 00 |
| 115..... | 2 | 1 | 200 00 |
| 116..... | | 1 | 240 00 |
| 117..... | | | Caveat. |
| 118..... | | | 2,500 00 |
| 119..... | | | 3,500 00 |
| 120..... | 4 | 1 | 5,500 00 |
| 121..... | 1 | | 10,000 00 |
| 122..... | | | Caveat. |
| 123..... | 3 | | 2,500 00 |
| 124..... | 1 | | 4,500 00 |
| 125..... | 4 | Tried with No. 127... | 1,500 00 |
| 126..... | 4 | " | 2,000 00 |
| 127..... | 2 | 1 | 8,500 00 |
| 128..... | 2 | Tried with No. 127... | 500 00 |
| 129..... | 1 | | 273 00 |
| 130..... | | | Possession. |
| 131 (reserved for action to be taken at Montreal but not used). | | | |
| 132 " " " | | | |
| 133 " " " | | | |
| 134 " " " | | | |
| 135 " " " | | | |
| 136..... | 3 | 1 | 500 00 |
| 137..... | 1 | 1 | 148 90 |
| 138..... | 2 | 1 | 200 00 |
| 139..... | | | |
| 140..... | | | 1,690 00 |
| 141..... | | | 125 00 |
| 142..... | | | 150 00 |
| 143..... | 1 | 1 | 500 00 |

SESSIONAL PAPER No. 106

RETURN showing the business done in the Exchequer Court of Canada, Quebec Admiralty District, since 'The Admiralty Act, 1891,' came into force, &c.—*Concluded.*

| Actions Instituted. | Inter-locutory applications. | Trials. | Amount Involved. |
|---|------------------------------|---------|------------------|
| 144 (reserved for action to be taken at Montreal but not used)..... | | | |
| 145..... | | | |
| 146..... | 4 | 1 | 500 00 |
| 147..... | | | 250 00 |
| 148..... | | | Caveat. |
| 149..... | | | " |
| 150.. | 3 | 1 | 150,000 00 |
| 151..... | | | Caveat. |
| 152..... | | | 200 00 |
| 153..... | | 1 | 100 00 |
| 154.. | | 1 | 300 00 |
| 155..... | 2 | | 3,718 40 |

J. DUNBAR.
District Registrar.

QUEBEC, March 4, 1905.

ROY BUILDING, 75 BARRINGTON ST.,
HALIFAX, N.S., March 18, 1905.

L. A. AUDETTE, Esq.,
Registrar Exchequer Court of Canada.

DEAR SIR,—Following are the statistics requested in yours of March 2, to L. W. DesBarres, District Registrar, N.S. Admiralty District.

| | |
|--|--------------|
| (1) No. of actions..... | 174 |
| (2) Number interlocutory proceedings | 195 |
| (3) Amount involved | \$928,683.51 |

With reference to item No. 3 this does not include fourteen actions for penalties for infractions of Customs Acts nor eight actions for forfeiture in which there is no record, so far as I have been able to ascertain, of the value of the property involved.

FRANK W. RUSSELL,
Deputy District Registrar.

ROY BUILDING, 75 BARRINGTON ST.,
HALIFAX, N.S., March 28, 1905.

L. A. AUDETTE, Esq.,
Registrar Exchequer Court.

DEAR SIR,—Replying to yours of the 21st March, the number of trials is fifty-nine.

I regret that I overlooked this in my previous report.

FRANK W. RUSSELL.

4-5 EDWARD VII., A. 1905

St. John, N.B., March 11, 1905.

L. A. AUDETTE, Esq.,

Ottawa.

DEAR SIR,—You will please find (in compliance with your letter of the 2nd instant) a statement showing the business done in New Brunswick Admiralty District since my appointment as registrar which was some months after the Act of 1891 came into force. There have been 123 actions instituted in this registry. There have been 62 trials included in which are five suits still pending, and about 50 interlocutory applications. The amount involved is \$181,683. Actions for possessions safe return of ships to port, mismanagement and settlement of accounts between co-owners the amount involved does not always appear.

Trusting that this will be satisfactory.

R. O. STOCKTON.

STATEMENT of return made by the Registrar of Prince Edward Island Admiralty District in compliance with a resolution of the House of Commons of Canada.

| | |
|---|-------------|
| (1) Number of actions instituted in P.E.I. admiralty District since the Act of 1891 came into force | 10 |
| (2a) Number of interlocutory applications | 7 |
| (b) Number of trials. | 3 |
| (3) The total amount claimed in the ten actions instituted as aforesaid | \$29,368 00 |
| Total amount for which judgments were given in the three cases tried. | \$17,429 06 |

J. A. LONGWORTH,

Registrar P.E.I. Ad. District.

Charlottetown, March 13, 1905.

TORONTO, CANADA, March 6, 1905.

L. A. AUDETTE, Esq.,

Registrar Exchequer Court of Canada, Ottawa.

DEAR SIR,—Pursuant to your letter of the 2nd March, I herewith forward to you my return as asked therein.

| | |
|---|--------------|
| 1. The number of actions instituted in the registry of the Toronto Admiralty District since the Act of 1891 came into force to the end of 1904 is | 311 |
| 2. The number of interlocutory applications | 366 |
| 3. The number of trials. | 118 |
| 4. Amount involved | \$301,220 36 |

I regret that I could not send the return earlier, but it was no slight task to cull out the above information covering a period of fourteen years.

JOHN BRUCE,

District Registrar.

SESSIONAL PAPER No. 106

IN THE EXCHEQUER COURT OF CANADA.

B. C. ADMIRALTY DISTRICT.

| Actions Commenced. | Interlocutory applications. | No. of Trials. | Amounts Involved. |
|--------------------|-----------------------------|----------------|--|
| 1891. | | | \$ |
| No. 1 | 10 | 1 | 30,000 |
| 2 | 2 | .. | 10,000 |
| 3 | .. | .. | 220 |
| 4 | .. | 1 | 100 |
| Totals.. 4 | 12 | 2 | |
| 1892. | | | |
| No. 1 | .. | .. | 1,540 |
| 2 | .. | .. | 462 |
| 3 | .. | .. | 771 |
| 4 | .. | .. | 800 |
| 5 | .. | .. | 4,000 |
| 6 | .. | .. | 214 |
| 7 | .. | .. | 945 |
| 8 | .. | .. | 2,679 |
| 9 | .. | .. | 1,054 |
| 10 | .. | .. | 7,141 |
| 11 | .. | .. | 206 |
| 12 | .. | .. | 1,971 |
| 13 | .. | .. | 3,525 |
| 14 | 1 | 1 | 8,222 |
| 15 | 6 | 1 | 1,515 |
| 16 | 6 | 1 | Confiscation of schooner under Behring Sea Act. |
| 17 | 4 | 1 | 5,000 |
| Totals. 17 | 19 | 4 | |
| 1893. | | | |
| No. 1 | 1 | .. | 1,000 |
| 2 | .. | .. | 1,189 |
| 3 | .. | .. | 4,020 |
| 4 | .. | .. | 9,020 |
| 5 | .. | .. | 1,924 |
| 5a | .. | 1 | 4,757 |
| 6 | .. | .. | 1,000 |
| 7 | .. | .. | 118 |
| 8 | .. | .. | 150 |
| 9 | .. | .. | 300 |
| 10 | 4 | .. | 268 |
| 11 | 2 | 1 | Confiscation under Behring Sea Act. |
| 12 | 6 | 1 | " " |
| 13 | .. | .. | 514 |
| 14 | 1 | 1 | 365 |
| 15 | .. | .. | 185 |
| 16 | 1 | 1 | 5,000 |
| Totals. 17 | 15 | 5 | |
| 1894. | | | |
| No. 1 | .. | .. | 269 |
| 2 | 3 | 1 | 1,194 |
| 3 | 2 | .. | 2,389 |
| 4 | 2 | 1 | 231 |
| 5 | .. | .. | 417 |
| 6 | .. | .. | 10,000 |
| 7 | 4 | 1 | 2,500 |
| 8 | 5 | 1 | 916 |
| 9 | .. | .. | 250 |
| 10 | .. | .. | 1,441 |

IN THE EXCHEQUER COURT OF CANADA.

B. C. ADMIRALTY DISTRICT.

| Actions Commenced. | Interlocutory applications. | No. of Trials. | Amounts Involved. |
|--------------------|-----------------------------|----------------|--|
| 1894. | | | |
| 11 | .. | .. | 2,500 |
| 12 | .. | .. | 146 |
| 13 | 1 | 1 | 996 |
| Totals. 13 | 17 | 5 | |
| 1895. | | | |
| No. 1 | 2 | 1 | 445 |
| 2 | .. | .. | 500 |
| 3 | 1 | 1 | 1,200 |
| 4 | 5 | 1 | Confiscation under Behring Sea Act. |
| 5 | 2 | 1 | " " |
| 6 | 4 | 1 | " " |
| 7 | .. | .. | 5,000 |
| 8 | 1 | .. | 163 |
| Totals.. 8 | 15 | 5 | |
| 1896. | | | |
| No. 1 | .. | .. | 643 |
| 2 | 1 | 1 | Confiscation under Behring Sea Act. |
| 3 | 2 | 1 | " " |
| 4 | 3 | 1 | " " |
| 5 | 1 | 1 | " " |
| 6 | 2 | 1 | 267 |
| Totals.. 6 | 9 | 5 | |
| 1897. | | | |
| No. 1 | 1 | .. | 1,000 |
| 2 | 10 | 1 | 17,916 |
| 3 | .. | .. | 1,000 |
| 4 | 1 | .. | 2,847 |
| 5 | .. | .. | 300 |
| 6 | 1 | .. | 5,000 |
| 7 | 2 | .. | 10,500 |
| Totals.. 7 | 15 | 1 | |
| 1898. | | | |
| No. 1 | 3 | .. | 100,000 |
| 2 | 1 | .. | 23,500 |
| 3 | .. | .. | 225 |
| 4 | .. | .. | Account of earnings. |
| 5 | 1 | .. | 5,000 |
| 6 | 2 | 1 | 5,975 |
| 7 | 10 | 1 | 3,057 |
| 8 | 7 | 1 | 2,875 |
| 9 | 2 | 1 | Confiscation under Behring Sea Act. |
| 10 | 2 | .. | 54 |
| 11 | .. | .. | 5,050 |
| 12 | 1 | 1 | 3,026 |
| 13 | 2 | 1 | 775 |
| 14 | 4 | .. | 41,000 |
| Totals. 14 | 35 | 6 | |

SESSIONAL PAPER No. 106

IN THE EXCHEQUER COURT OF CANADA.

B. C. ADMIRALTY DISTRICT.

| Actions Commenced. | Interlocutory applications. | No. of Trials. | Amounts Involved. |
|--------------------|-----------------------------|----------------|--------------------------|
| 1899. | | | |
| No. 1 | .. | .. | To set aside a judgment. |
| 2 | 3 | 1 | 158 |
| 3 | 4 | .. | 50,000 |
| 4 | .. | .. | 952 |
| 5 | .. | .. | 1,117 |
| Totals.. 5 | 7 | 1 | |
| 1900. | | | |
| No. 1 | .. | .. | 502 |
| 2 | 3 | 1 | 950 |
| 3 | .. | 1 | 3,750 |
| 4 | 1 | 1 | 300 |
| 5 | .. | .. | 30 |
| 6 | .. | .. | 750 |
| 7 | .. | .. | 390 |
| 8 | 14 | 1 | 35,000 |
| 9 | 1 | 1 | 325 |
| Totals.. 9 | 19 | 5 | |
| 1901. | | | |
| No. 1 | .. | .. | 2,743 |
| 2 | 1 | .. | 75,000 |
| 3 | 2 | 1 | 2,000 |
| 4 | .. | .. | 835 |
| 5 | .. | .. | 1,567 |
| Totals.. 5 | 3 | 1 | |
| 1902 | | | |
| No. 1 | .. | .. | 133 |
| 2 | .. | .. | 138 |
| 3 | .. | .. | 56 |
| 4 | 3 | 1 | 500 |
| 5 | 1 | .. | 5,000 |
| 6 | 4 | 1 | 3,516 |
| 7 | 3 | 1 | 2,280 |
| 8 | 1 | .. | 3,500 |
| 9 | .. | .. | 112 |
| Totals.. 9 | 12 | 3 | |
| 1903. | | | |
| No. 1 | 2 | .. | 75,000 |
| 2 | .. | .. | 372 |
| 3 | 8 | 1 | 25,000 |
| Vancouver suit. | 3 | 1 | 800 |
| Totals.. 3 | 13 | 2 | |
| 1904. | | | |
| No. 1 | .. | .. | 750 |
| 2 | 1 | .. | 500 |
| 3 | .. | .. | 100,000 |
| Totals.. 3 | 1 | .. | |

4-5 EDWARD VII., A. 1905

RETURN showing the business done in the office of the Deputy District Registrar in the Exchequer Court of Canada under its Admiralty Jurisdiction at Vancouver, British Columbia, since the office was established.

| Year. | Actions instituted. | Interlocutory applications. | Trials. | Amount involved. |
|------------|------------------------|--------------------------------|---------|---------------------|
| | | | | \$ cts. |
| 1900. | 7 | 3 | 2 | 1,781 59 |
| 1901. | 11 | 9 | 1 | 27,890 08 |
| 1902. | 5 | 1 | 1 | 39,983 75 |
| 1903. | 9 | 8 | 1 | 70,131 99 |
| 1904. | 1 | | | 5,000 00 |

A. E. BECK,
Deputy District Registrar.